

<p style="text-align: right;">Page 42</p> <p>1 V. Zilberman</p> <p>2 A. Will you please repeat the first</p> <p>3 part because while arriving at the second</p> <p>4 part, I lost the first part.</p> <p>5 (Record read.)</p> <p>6 A. I would answer yes, as the</p> <p>7 partnership collected the money, I would say</p> <p>8 yes.</p> <p>9 Q. Do you know who that money was</p> <p>10 collected from?</p> <p>11 A. No.</p> <p>12 Q. Do you know where that money was</p> <p>13 deposited?</p> <p>14 A. No.</p> <p>15 Q. Do you know if there was any</p> <p>16 partnership bank account?</p> <p>17 A. No.</p> <p>18 Q. Do you know the name of the alleged</p> <p>19 partnership between Mr. Slinin and Mr.</p> <p>20 Shnaider?</p> <p>21 A. No. I do remember the names of the</p> <p>22 account companies, I believe it was more than</p> <p>23 one company which was part of the contracts</p> <p>24 you referred to before. It was something</p> <p>25 with the word Challenger in the middle. I</p>	<p style="text-align: right;">Page 44</p> <p>1 V. Zilberman</p> <p>2 told me, yes.</p> <p>3 Q. Do you know where CAC was</p> <p>4 incorporated?</p> <p>5 A. No.</p> <p>6 Q. Were you involved in filing any</p> <p>7 documents -- strike that.</p> <p>8 Were you involved in preparing any</p> <p>9 documents with regard to CAC?</p> <p>10 A. No.</p> <p>11 Q. Did you see any documents with</p> <p>12 regard to CAC?</p> <p>13 A. No.</p> <p>14 Q. Do you have any understanding of</p> <p>15 where any documents regarding CAC were</p> <p>16 maintained?</p> <p>17 A. No.</p> <p>18 Q. Do you have an understanding as to</p> <p>19 where CAC was incorporated?</p> <p>20 A. No.</p> <p>21 Q. Let's assume that the other company</p> <p>22 is referred to CL 850, is that all right?</p> <p>23 A. All right.</p> <p>24 Q. Same questions for CL 850, do you</p> <p>25 know what ownership interest, if any, Mr.</p>
<p style="text-align: right;">Page 43</p> <p>1 V. Zilberman</p> <p>2 don't remember exactly the name of these</p> <p>3 companies.</p> <p>4 Q. So you are referring to, I believe,</p> <p>5 Challenger Aircraft Company?</p> <p>6 A. I don't remember, it was like more</p> <p>7 than one company.</p> <p>8 Q. Are you referring to CL 850?</p> <p>9 A. I don't remember.</p> <p>10 Q. These companies, whose names you</p> <p>11 don't recall, do you know who owned those</p> <p>12 companies?</p> <p>13 A. Mr. Slinin and Mr. Shnaider.</p> <p>14 Q. Do you know how much of an</p> <p>15 ownership interest Mr. Slinin had?</p> <p>16 A. I believe they share equally,</p> <p>17 profits and losses.</p> <p>18 Q. I'm asking, assume for me one of</p> <p>19 the companies is named Challenger Aircraft</p> <p>20 Corporation, CAC for short.</p> <p>21 A. Okay.</p> <p>22 Q. Is it your testimony that Mr.</p> <p>23 Slinin had any ownership interest in CAC?</p> <p>24 A. To the best of my knowledge, from</p> <p>25 what Mr. Slinin told me and what Mr. Rob Lee</p>	<p style="text-align: right;">Page 45</p> <p>1 V. Zilberman</p> <p>2 Slinin had in CL 850?</p> <p>3 A. My personal knowledge, Mr. Slinin</p> <p>4 and Mr. Shnaider, they shared profits and</p> <p>5 losses equally of the other company you just</p> <p>6 mentioned.</p> <p>7 Q. Of CAC?</p> <p>8 A. CAC or it was another one.</p> <p>9 Q. CL 850?</p> <p>10 A. CL 850.</p> <p>11 Q. My question is a little different,</p> <p>12 though.</p> <p>13 My question is, do you know what</p> <p>14 ownership interest, if any, Mr. Slinin had in</p> <p>15 CL 850?</p> <p>16 A. I just answered you, 50 percent.</p> <p>17 Q. Equal means 50 percent?</p> <p>18 A. Fifty and 50.</p> <p>19 Q. Just for the record, because we've</p> <p>20 been talking over one another, it's your</p> <p>21 testimony that you believe that Mr. Slinin</p> <p>22 had a 50 percent ownership interest in CL</p> <p>23 850, as well, correct?</p> <p>24 A. Yes.</p> <p>25 Q. Do you know where CL 850 was</p>

<p style="text-align: right;">Page 46</p> <p>1 V. Zilberman 2 incorporated? 3 A. No, I do not. 4 Q. And were you involved in ever 5 filing -- strike that. 6 Were you involved in ever preparing 7 any documents with regard to CL 850? 8 A. No, I am not. 9 Q. Did you ever see any documents with 10 regard to CL 850? 11 A. No. 12 Q. Going back to the funds that we 13 were talking about that I believe you said 14 the partnership collected, correct? Do you 15 know whether those funds were deposited into 16 bank accounts of CAC or CL 850? 17 A. No, I do not. 18 Q. Do you know anything about how 19 those funds were collected and then sent to 20 Bombardier for downpayments? 21 No, you weren't involved in that at 22 all? 23 A. No. 24 Q. Do you have any understanding as to 25 how the sales of these aircraft that are the</p>	<p style="text-align: right;">Page 48</p> <p>1 V. Zilberman 2 belief that Mr. Slinin and Mr. Shnaider were 3 50 percent partners in the two companies 4 we've been referring to as CAC and CL 850, 5 correct? 6 A. Yeah. I'm not aware of how that 7 was structured, either through the personal 8 or corporations or other entities you 9 referred to. 10 Q. Do you know if CAC filed any 11 documents with any government agency? 12 A. No, I do not. 13 Q. Do you know if CL 850 filed any 14 documents with any government agency? 15 A. No, I do not. 16 Q. Do you know if CAC had an office? 17 A. No, I do not. 18 Q. What about CL 850? 19 A. I don't know. 20 Q. Do you know if CAC had an agent for 21 service of process? 22 A. I do not know. 23 Q. What about CL 850, same question? 24 A. I don't know. 25 Q. You are aware that monies were</p>
<p style="text-align: right;">Page 47</p> <p>1 V. Zilberman 2 subject of this lawsuit were structured? 3 A. No. 4 Q. Do you know if any of the companies 5 that Mr. Slinin owned had an ownership 6 interest in CAC, what we have been referred 7 to as CAC? 8 A. I don't know. 9 Q. Do you know if any of the companies 10 that Mr. Slinin owned had an ownership 11 interest in CL 850? 12 A. I do not. 13 Q. Do you know if anyone associated 14 with Mr. Slinin had an ownership interest in 15 CAC? 16 A. No, I do not. 17 Q. Same question for CL 850? 18 A. No, I do not. 19 If you group all of your questions 20 into one, I do believe Mr. Slinin and Mr. 21 Shnaider, they were equal partners. 22 Q. In CAC and CL 850 -- 23 A. You just mention it. 24 Q. So we are not talking over each 25 other and the record is clear. it's your</p>	<p style="text-align: right;">Page 49</p> <p>1 V. Zilberman 2 collected from potential buyers and 3 transferred to Bombardier, correct? 4 A. Yes. 5 Q. And do you have any knowledge of 6 how those transfers were effectuated? 7 A. No. 8 Q. If I wanted to look through the 9 books and records of the partnership that 10 you've talked about this morning between Mr. 11 Slinin and Mr. Shnaider, where would I look? 12 A. I believe you ask Mr. Shnaider and 13 Mr. Slinin where are those records. 14 Q. But you are not aware, I take it, 15 of where those records are, correct? 16 A. No. 17 Q. And you are not aware of what 18 records, if any, were maintained, correct? 19 A. Mr. Slinin maintains some records 20 and I do believe Mr. Shnaider maintains some 21 records. 22 Q. What records do you believe Mr. 23 Slinin maintained? 24 A. Records. 25 Q. Tell me what you think was</p>

<p style="text-align: right;">Page 78</p> <p>1 V. Zilberman 2 Resources Holding Limited? 3 A. No. 4 MR. LEBOWITZ: Let her complete her 5 question before you answer. 6 Q. Do you see Mr. Slinin's name 7 anywhere under the heading shareholder/ -- 8 strike that -- shareholder/members of the 9 company? 10 A. Not on page ASJIC 0003. 11 Q. You are free to look through any of 12 this document and let me know if you see any 13 reference to ownership in Challenger Aircraft 14 Company Limited under this certificate of 15 incorporation document. 16 Do you see any reference in this 17 document to ownership in Challenger Aircraft 18 Company Limited under this certificate of 19 incorporation by Mr. Slinin or any of his 20 companies? 21 A. No, I did not see. 22 It's Midland Resource Holdings. 23 Q. As the owner, correct? 24 A. Of 50,000 shares as of the date -- 25 two documents following from page signed</p>	<p style="text-align: right;">Page 80</p> <p>1 V. Zilberman 2 A. Yes, I do. 3 Q. If you go to the next page, ASHC 4 000031, do you see under shareholders, 5 members of the company, the name Midland 6 Resources Holding Limited? 7 A. Yes, I do. 8 Q. Do you see any reference on that 9 page to Mr. Slinin or any of his companies? 10 A. I do not. 11 Q. Can you take a look at the document 12 for me and see if you see any reference to 13 Mr. Slinin or any of his companies elsewhere 14 in the document, sir? 15 The question is still pending, do 16 you see any reference to Mr. Slinin or any of 17 his companies here? 18 A. I didn't see any reference. I 19 would like you to refer to page ASHC 0036 and 20 the page ASHC 0055. Just they are blind, the 21 copies. 22 Q. So for the record, the copies are 23 difficult to read on ASHC 00036 and 55. We 24 will look at the break and see if we have a 25 better copy.</p>
<p style="text-align: right;">Page 79</p> <p>1 V. Zilberman 2 dated October 2007 and I don't see any 3 reference over here for the date. 4 Q. Are you aware of any amendment of 5 the document I placed before you as Zilberman 6 3, the certificate of incorporation, to 7 reflect any different ownership? 8 A. No. 9 Q. Let me show you what we will mark 10 as Zilberman Exhibit 4. 11 (Zilberman Exhibit 4, documents 12 bearing Bates Stamp Nos. ASHC 000030 13 through ASHC 000055, marked for 14 identification.) 15 Q. Let me just ask you to take a look 16 at what I have placed before you, sir, as 17 Zilberman Exhibit 4 and let me know if you've 18 seen it before, please. 19 A. I haven't seen this document. 20 Q. For the record, this document is 21 ASHC 000030 through 000055. It's titled on 22 the front page Certificate of Incorporation 23 and it references CL 850 Aircraft Investment 24 Limited. 25 Do you see that?</p>	<p style="text-align: right;">Page 81</p> <p>1 V. Zilberman 2 And what you looked through, did 3 you see any reference to Mr. Slinin? 4 A. I did not see any reference to Mr. 5 Slinin here. 6 Q. Did you see a reference to any 7 companies in which Mr. Slinin has an 8 ownership interest? 9 A. No, I did not, other than the 10 Midland Resources Holding Limited owns 50,000 11 shares. 12 Q. And to your knowledge, Mr. Slinin 13 does not have any ownership interest in 14 Midland Resources Holding? 15 A. Not to my knowledge. 16 Q. Let me show you what we will mark 17 as Zilberman Exhibit 5. 18 (Zilberman Exhibit 5, aircraft 19 purchase agreement between Challenger 20 Aircraft Company and Olave Equities 21 Limited for the purchase of Bombardier 22 Challenger Aircraft Model CL-600-2B19 23 Challenger 850 Executive, marked for 24 identification.) 25 Q. Let me ask you to take a look at</p>

<p style="text-align: right;">Page 134</p> <p>1 V. Zilberman</p> <p>2 like that?</p> <p>3 A. I don't remember, I would refer to</p> <p>4 my email to Mr. Lee or I believe when I send</p> <p>5 email to Mr. Shnaider and Mr. Lee replied and</p> <p>6 a whole chain of emails, that was probably</p> <p>7 the only time I emailed Mr. Shnaider direct.</p> <p>8 Q. Let me mark Exhibit 7, Zilberman</p> <p>9 Exhibit 7.</p> <p>10 (Zilberman Exhibit 7, documents</p> <p>11 bearing Bates Stamp Nos. P 000328 and P</p> <p>12 000329, marked for identification.)</p> <p>13 Q. Let me ask you to take a look at</p> <p>14 this document that I placed before you as</p> <p>15 Zilberman Exhibit 7 and tell me if you've</p> <p>16 seen it before, please, sir?</p> <p>17 A. Yes, I did see this.</p> <p>18 Q. Can you tell me what this document,</p> <p>19 which, for the record, is P 000328 through P</p> <p>20 000329, is?</p> <p>21 A. It's my email to Mr. Alex Shnaider</p> <p>22 and Mr. Rob Lee, copying Mr. Slinin on that</p> <p>23 email and the title for the email Demand For</p> <p>24 Payment.</p> <p>25 Q. And you are looking at the first</p>	<p style="text-align: right;">Page 136</p> <p>1 V. Zilberman</p> <p>2 this particular document, page 2, was the</p> <p>3 document that was attached and is referenced</p> <p>4 on page 1?</p> <p>5 A. I really don't remember.</p> <p>6 What just strikes me, in my email,</p> <p>7 I'm addressing Mr. Shnaider, Alex and I have</p> <p>8 attached a document which I addressed Robert</p> <p>9 Lee, that's my only...</p> <p>10 Q. So you don't know, one way or the</p> <p>11 other, correct?</p> <p>12 A. I don't know, one way or the other,</p> <p>13 but I assume the dates are correct, I just</p> <p>14 don't remember, it was six years ago, let's</p> <p>15 assume that's the document, yes.</p> <p>16 Q. Let's turn to the second page. You</p> <p>17 reference funds in the amount of 6.5 million.</p> <p>18 I think that's what you testified to earlier</p> <p>19 this morning, correct?</p> <p>20 A. That's my recollection, that was</p> <p>21 the amount, 6.5 million.</p> <p>22 Q. It says that Midland, Mr. Shnaider</p> <p>23 received a credit of 6.5 million for</p> <p>24 terminating three contracts and it references</p> <p>25 170, 171 and 298, correct?</p>
<p style="text-align: right;">Page 135</p> <p>1 V. Zilberman</p> <p>2 page of this document, correct?</p> <p>3 A. Yes.</p> <p>4 Q. It says, Attached please find</p> <p>5 demand for payment owed to Mr. Eduard Slinin,</p> <p>6 correct?</p> <p>7 A. Correct.</p> <p>8 Q. Then if you go over to the next</p> <p>9 page, there is a letter to Mr. Lee with your</p> <p>10 name on the bottom, correct?</p> <p>11 A. Correct.</p> <p>12 Q. This particular document is not</p> <p>13 signed by you.</p> <p>14 Do you know if you ever signed it?</p> <p>15 A. No, I don't remember.</p> <p>16 Q. Do you know if this particular</p> <p>17 document was the document that was attached</p> <p>18 and sent to Mr. Shnaider?</p> <p>19 A. That's exactly the question I had</p> <p>20 reading the first page and the attachment.</p> <p>21 Let me have a look a minute.</p> <p>22 Q. I think it's from your client's</p> <p>23 files, so that's my question.</p> <p>24 A. Okay.</p> <p>25 Q. My question was, do you know if</p>	<p style="text-align: right;">Page 137</p> <p>1 V. Zilberman</p> <p>2 A. Correct.</p> <p>3 Q. It says 50 percent of that credit</p> <p>4 is owed to Mr. Slinin, correct?</p> <p>5 A. Correct.</p> <p>6 Q. Do you know who the parties are to</p> <p>7 contract 171, 170 or 298 that you're</p> <p>8 referencing here, who were the parties to the</p> <p>9 three contracts that you say were terminated</p> <p>10 and for which is a \$6.5 million credit was</p> <p>11 obtained?</p> <p>12 A. I don't remember, but as you and I</p> <p>13 discussed since this morning, it was two</p> <p>14 companies, CL 850 and CAC, correct me if I'm</p> <p>15 wrong, and Bombardier.</p> <p>16 Q. So you believe that the parties to</p> <p>17 these three contracts referenced in paragraph</p> <p>18 3 of this letter were Bombardier and then</p> <p>19 either CL 850 or CAC, is that correct?</p> <p>20 A. Correct.</p> <p>21 Q. Have you seen contracts 170, 171</p> <p>22 and 298?</p> <p>23 A. Contracts between?</p> <p>24 Q. Bombardier and whoever the</p> <p>25 contracting party was.</p>

<p style="text-align: right;">Page 158</p> <p>1 V. Zilberman 2 Slinin got a plane pursuant to this 3 agreement? 4 A. To the best of my knowledge, Mr. 5 Slinin did not get a plane pursuant to the 6 agreement. 7 Q. Do you know if Bombardier had the 8 right to keep that 2.3 million? 9 A. I don't know. 10 Q. Do you know what happened to the 11 2.3 million? 12 A. I don't know. I assume if it was 13 not delivered, it was applied to the One 14 Global, but I am just guessing now. 15 Q. Let's look back at exhibit -- 16 Zilberman Exhibit 8. If you look at the 17 second page, you say in your demand, 2.3 18 million for the Challenger 850 contract C 19 8500169 sold by you, sir, referring to Mr. 20 Shnaider, to a third party? 21 A. Correct. 22 Q. Do you know if contract C 8500169 23 was sold by Mr. Shnaider to anyone? 24 A. I know what Mr. Slinin told me, it 25 was sold to a third party and referring back</p>	<p style="text-align: right;">Page 160</p> <p>1 V. Zilberman 2 entered into for the sale? 3 A. Right, to be clear on definition. 4 Q. Do you know if Woren ever actually 5 defaulted on that contract or abided by that 6 contract? 7 A. I don't know. I would say I don't 8 remember. 9 Q. If, as you claim, Mr. Slinin was a 10 partner in either CAC or CL 850 and there was 11 an agreement to split, what, between those 12 two, between Mr. Slinin and Mr. Shnaider? 13 A. To share profits and losses 50/50, 14 equal, profits and losses equally. 15 Q. Profits and losses on what? 16 A. On the transactions of acquiring 17 and selling the airplanes, I'm referring to 18 partnership between Mr. Slinin and Mr. 19 Shnaider. 20 Q. If CL 850 or CAC entered into a 21 contract with a third party to acquire a 22 Bombardier airplane and that party did not go 23 forward with the contract, did you have an 24 understanding as to what happened to the 25 initial deposit under the contract?</p>
<p style="text-align: right;">Page 159</p> <p>1 V. Zilberman 2 to Woren contract. 3 Q. But you have no evidence of that? 4 MR. LEBOWITZ: Object to the form. 5 Q. You are not aware, as you sit here 6 today, of any document which supports your 7 statement that contract C 8500169 was sold by 8 Mr. Shnaider to a third party, correct? 9 A. I would say probably no, because 10 this here is the contract in P 0192, I 11 believe -- where Challenger Aircraft Company 12 sold C 8500169 to Woren. I'm just looking at 13 P 000189, it's the signature page, I just 14 opened it. 15 Q. You don't know, as you sit here 16 today, whether that sale actually went 17 through, correct? 18 A. I would say sale went through, that 19 the contract was signed right with Woren, is 20 that correct? 21 Q. But you don't know if a plane was 22 delivered, correct? 23 A. No, no. 24 Q. When you say a sale went through, 25 what do you mean, that there was a contract</p>	<p style="text-align: right;">Page 161</p> <p>1 V. Zilberman 2 MR. LEBOWITZ: Object to the form. 3 You can answer. 4 A. Please repeat. 5 Q. If CL 850 or CAC entered into a 6 contract with a third party to sell a 7 Bombardier airplane to that third party and 8 the third party put a deposit down, but did 9 not go through with the sale or purchase -- 10 strike that -- with the purchase of the 11 plane, did you have an understanding as to 12 what happened to that deposit? 13 A. Can you rephrase it. 14 Q. If a third party didn't go through 15 with the sale and purchase of one of these 16 aircraft, do you know what happened to the 17 deposit they put down? 18 A. Based on what Mr. Slinin told me 19 and what Mr. Lee told me in his emails and 20 probably over the phone, the deposits, Mr. 21 Shnaider applied those deposits to One Global 22 or probably one plus ultimate plane which was 23 sold to a third party. 24 Q. Do you know if Bombardier had a 25 right to keep those deposits?</p>